

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 12, 2009

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative and Consent Orders issued during the period December 1, 2008 – January 31, 2009.
- III. **FACTS:** For the period December 1, 2008 through January 31, 2009 EQC issued sixty (60) Consent Orders with total assessed civil penalties in the amount of \$236,632.00. Three (3) Administrative Orders were reported during this period with total assessed civil penalties in the amount of 46,480.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land & Waste Management				
UST Program	2	\$ 37,880.00	16	\$ 12,700.00
Solid Waste	0	0	4	10,000.00
Radiological Waste	0	0	1	8,000.00
Hazardous Waste	0	0	6	70,362.00
SUBTOTAL	2	37,880.00	27	\$ 101,062.00
Water				
Drinking Water	1	\$ 8,600.00	23	\$ 49,770.00
Water Pollution	0	\$ 0	6	34,800.00
SUBTOTAL	1	\$ 8,600.00	29	\$ 84,570.00
Air Quality				
SUBTOTAL	0	\$ 0	4	\$ 51,000.00
TOTAL	3	\$ 46,480.00	60	\$ 236,632.00

ANALYSIS: During the reporting period, Radiological Waste Enforcement entered into a Consent Order with Ohmart/VEGA Corporation (Respondent) for failing to properly package a shipment of radioactive waste to the EnergySolutions disposal facility located in Barnwell, South Carolina in a way that would prevent the exceedance of radiation limits on the package and the exterior of the transport vehicle. The Respondent also failed to ensure all packages in the shipment were placed on a pallet or equipped with appropriate lifting devices for

offloading. In response to this violation, the Department suspended the Respondent's permit for a period of thirty (30) days and the Respondent has put corrective action measures in place to ensure future compliance. A civil penalty in the amount of eight thousand (\$8,000.00) was assessed.

Drinking Water Enforcement entered into twenty-three (23) Consent Orders during the reporting period; twenty-two (22) of those were issued for violations of the Public Swimming Pool Regulations. Total civil penalties assessed for the 22 Orders is forty-nine thousand seven hundred seventy dollars (\$49,770.00).

Air Quality Enforcement entered into a Consent Order with Washington Savannah River Company, LLC (Respondent) who is under contract with the Department of Energy to operate the Savannah River Site. The Respondent exceeded its permitted particulate matter (PM) emissions limit for a coal-fired boiler during an approved source test. In response to the violation, the boiler has been permanently shut down. A civil penalty in the amount of six thousand five hundred dollars (\$6,500.00) was assessed.

Of the sixty (60) Consent Orders issued by EQC enforcement programs during the reporting period, all have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control